

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
Subject Devices more fully described in  
Attachment A, attached hereto

Case No. MJ21-613

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

located in the \_\_\_\_\_ Western \_\_\_\_\_ District of \_\_\_\_\_ Washington \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

## Code Section

## Offense Description

Title 18, U.S.C. Sections 922(g), 924(c)

Felon in possession of firearm and ammunition, in furtherance of drug trafficking crimes

Title 18, U.S.C. Section 841(a)(1)

Distribution of, and possession with intent to distribute controlled substances

Title 18, U.S.C. Sections 1591(a)(1), (b)(1)

Sex trafficking through force, fraud, and coercion

Title 18, U.S.C. Section 2421

Transportation for the purpose of prostitution

The application is based on these facts:

- ☒ See Affidavit of ATF Nathan Petrulak.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

*Nathan Petrulak*  
Applicant's signature

Nathan Petrulak, Special Agent

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or  
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: November 18, 2021

*Michelle L. Peterson*  
Judge's signature

City and state: Seattle, Washington

Michelle L. Peterson, U.S. Magistrate Judge

Printed name and title

STATE OF WASHINGTON           )  
  )           SS  
COUNTY OF KING             )

I, Special Agent Nathan Petrulak, being first duly sworn on oath, depose and state as follows:

## INTRODUCTION AND AGENT BACKGROUND

47. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and have been so employed since March 6, 2018. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516. I am currently assigned to the Seattle Field Division in Seattle, Washington, where I am assigned to the Seattle I Field Office.

48. I received formal training in the Federal Law Enforcement Training Center in Glynco, Georgia, Criminal Investigators Training Program, which familiarized me with basic narcotic investigations, drug identification and detection, familiarization with United States narcotics laws, financial investigations and money laundering, identification and seizure of drug-related assets, organized crime investigations, physical and electronic surveillance, and undercover operations. In addition, I successfully completed a fifteen-week ATF Special Agent Basic Training course in Glynco, Georgia, which included comprehensive, formalized instruction in, among other things: firearms identification, firearms trafficking, arson and explosives, and tobacco and alcohol diversion. I am graduate of Point Park University where I received a Master's in Business Administration in 2014. Additionally, I am a graduate of the University of Pittsburgh where I received a Bachelor of Science in Biological Sciences in 2010. As a result of my training, experience, and that of other more experienced investigators, I have an understanding of the manner in which narcotics are distributed and various roles played

1 by individuals or groups involved in the distribution, along with unlawful use of firearms  
2 during crimes of violence and/or drug trafficking and firearms trafficking.

3 As noted above, I am responsible for investigations involving specified unlawful  
4 activities, to include violent crimes involving firearms that occur in the Western District  
5 of Washington. I am also responsible for enforcing federal firearms and explosives laws  
6 and related statutes in the Western District of Washington. I received training on the  
7 proper investigative techniques for these violations, including the identification of  
8 firearms and the location of the firearms' manufacture. I have actively participated in  
9 investigations of criminal activity, including but not limited to crimes against persons,  
10 crimes against property, narcotics-related crimes, and crimes involving the possession  
11 and use, theft, or transfer of firearms. During these investigations, I have also  
12 participated in the execution of search warrants and the seizure of evidence indicating the  
13 commission of criminal violations. During the course of my law enforcement career, I  
14 have also consulted with law enforcement officers who investigate crimes related to  
15 prostitution and sex trafficking.

16 **IDENTIFICATION OF THE SUBJECT DEVICES TO BE EXAMINED**

17 49. This Affidavit is submitted in support of an Application to search the  
18 following digital devices (hereinafter "the SUBJECT DEVICES"), as further described in  
19 Attachment A, for evidence, fruits and instrumentalities, as further described in  
20 Attachment B, of the crimes of being a felon in possession of a firearm and ammunition,  
21 in violation of Title 18, United States Code, Section 922(g); possessing firearms in  
22 furtherance of drug trafficking crimes, in violation of Title 18, United States Code,  
23 Section 924(c); distribution of, and possession with intent to distribute, controlled  
24 substances, in violation of Title 21, United States Code, Section 841(a)(1); sex trafficking  
25 through force, fraud, and coercion, in violation of Title 18, United States Code, Section  
26 1591(a)(1) and (b)(1); and transportation for the purpose of prostitution, in violation of  
27 Title 18, United States Code, Section 2421.

1 a. One black cell phone, unknown make (KCSO Item #C21022558-4)  
 2 (recovered from HAYES'S person on July 20, 2021) (**SUBJECT DEVICE 1**), currently  
 3 located in the custody of the King County Sheriff's Office (KCSO) 4623 7th Avenue  
 South, Seattle;

4 b. One blue OnePlus cell phone (KCSO Item #C21022558-5)  
 5 (recovered from HAYES's person on July 20, 2021) (**SUBJECT DEVICE 2**), currently  
 6 located in the custody of the King County Sheriff's Office (KCSO), 4623 7th Avenue  
 South, Seattle; and

7 c. One silver iPhone (ATF Item #4) (recovered from HAYES's person  
 8 on October 7, 2021) (**SUBJECT DEVICE 3**), currently located in the custody of the  
 9 Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), 1521 1st Avenue South,  
 Seattle.

10  
 11 50. Based upon the information described herein, I believe that the SUBJECT  
 12 DEVICES were used by HAYES to facilitate his facilitate his drug trafficking activity  
 13 and communicate with other drug traffickers and/or drug customers, in violation of Title  
 14 21, United States Code, Section 841(a)(1), and to facilitate his prostitution/sex trafficking  
 15 activity and communicate with victims and/or prostitution customers, in violation of Title  
 16 18, United States Code, Section 1591(a)(1) and (b)(1), and that evidence of those  
 17 violations will be found in his phone.

18 51. This Affidavit is being presented electronically pursuant to Local Criminal  
 19 Rule CrR 41(d)(3).

### 20 SOURCES OF INFORMATION

21 52. I have obtained the facts set forth in this Affidavit through my personal  
 22 participation in the investigation described below; from oral and written reports of other  
 23 law enforcement officers; and from records, documents and other evidence obtained  
 24 during this investigation. I have obtained and read official reports prepared by law  
 25 enforcement officers participating in this investigation and in other investigations by the  
 26 DEA. Insofar as I have included event times in this affidavit, those event times are  
 27 approximate.  
 28

53. Since this affidavit is being submitted for the limited purpose of obtaining authority to search the SUBJECT DEVICES, I have not included every fact known concerning this investigation. I have set forth only the facts that I believe are essential for a fair determination of probable cause.

### **SUMMARY OF PROBABLE CAUSE**

#### **A. HAYES's Criminal History**

54. I have reviewed court and law enforcement records related to EVERETT JAMESLEE HAYES's criminal history. These records show that HAYES has an active protection order that prohibits him from possessing firearms, in addition to nine felony convictions that include felony violation of a protection order, robbery in the second degree, unlawful possession of a firearm in the second degree, harassment, theft in the first degree, theft in the second degree, and residential burglary.

55. Specifically, HAYES has been convicted of the following crimes for which he was sentenced to a term of imprisonment exceeding one year:

*Domestic Violence Felony Violation of a Court Order*, under cause number 18-1-03277-2, dated on or about June 7, 2019, in King County Superior Court, Washington, under the alias EVERETT JAMES KENNEBREW;

*Unlawful Possession of a Firearm in the Second Degree and Assault in the Third Degree – Domestic Violence*, under cause number 15-1-01092-8, dated on or about July 17, 2015, in King County Superior Court, Washington, under the alias EVERETT JAMES KENNEBREW; and

*Robbery in the Second Degree and Felony Harassment*, under cause number 11-1-10661-2, dated on or about January 20, 2012, in King County Superior Court, Washington, under the alias EVERETT JAMES KENNEBREW.

#### **B. HAYES's July 20, 2021 Arrest**

56. On July 20, 2021, King County Sheriff's Office (KCSO) Sergeant Hamill, supervisor of the SeaTac Street Crimes Unit, conducted a community area check of the Motel 6 parking lot located at 20651 Military Road South, SeaTac, Washington, and encountered a male bleeding from his face. Sergeant Hamill saw a white SUV quickly

1 pull out of the parking stall driving over the curb and heading north towards the exit.  
2 Based on the male's significant injury, the fact that the injured male had been looking at  
3 the white SUV as it left, and the SUV's quick departure after driving over the curb,  
4 Sergeant Hamill believed that this vehicle had some connection to male as well as the  
5 significant injury Sergeant Hamill observed.

6 57. Sergeant Hamill followed the SUV out of the complex trying to identify its  
7 license plate as well as its make and model. While he was following the SUV, it ran a red  
8 light before taking the on-ramp to northbound Interstate 5. Sergeant Hamill eventually  
9 caught up to the SUV and identified it as a Hyundai Tucson bearing California license  
10 #8PWL189.

11 58. KCSO Master Police Officer (MPO) Bugosh arrived in the area and  
12 Sergeant Hamill directed him to the Hyundai. MPO Bugosh began following the Hyundai  
13 as it pulled into the gas station on the northeast corner of South 200 Street and  
14 International Boulevard South, where MPO Bugosh conducted a traffic stop.

15 59. MPO Bugosh contacted the driver and only occupant, who was later  
16 identified as EVERETT JAMESLEE HAYES. The driver's door opened as MPO Bugosh  
17 came to a stop behind the vehicle. HAYES immediately got out of the driver's seat, shut  
18 the door, and faced MPO Bugosh. MPO Bugosh immediately noticed that HAYES's right  
19 pants pocket was inside-out, which was indicative of someone quickly removing an item  
20 from tight-fitting jeans. MPO Bugosh told HAYES to come to the front of the patrol car  
21 and sit on the front bumper, where MPO Bugosh frisked him for weapons, finding none.

22 60. HAYES asked why he was "being detained." MPO Bugosh explained that a  
23 detective had watched an incident unfold at the Motel 6 and had seen him quickly leaving  
24 the scene. HAYES said he did not have any identification on him, and verbally identified  
25 himself to MPO Bugosh as EVERETT KENNEBREW. MPO Bugosh performed a record  
26 check of HAYES and confirmed his identity with a matching driver's license photo.  
27 HAYES's current Washington driver's license is in the name EVERETT JAMESLEE  
28 HAYES, although he previously had a driver's license issued in the name EVERETT J

1 KENNEBREW. HAYES's driver's license status was suspended, and he was required to  
2 use an ignition interlock device when driving, which the Hyundai did not have.

3 61. MPO Bugosh arrested HAYES for driving with a suspended license and  
4 driving a vehicle without the required ignition interlock device. MPO Bugosh placed  
5 HAYES into handcuffs without incident and read him his Miranda rights, which HAYES  
6 said he understood. The Hyundai Tucson SUV was secured by KCSO Sergeant Barden  
7 pending a search warrant.

8 62. During a search incident to arrest, MPO Bugosh seized two .40 caliber  
9 rounds of ammunition from HAYES's pants pocket. When MPO Bugosh removed the  
10 bullets, HAYES asked "Is that illegal?" Assuming that HAYES knew that it was for him,  
11 being a convicted felon, MPO Bugosh confirmed that it was illegal for him to possess  
12 those items. HAYES also had two cell phones, (1) one black cell phone, unknown make  
13 (SUBJECT DEVICE 1) and (2) one blue OnePlus cell phone (SUBJECT DEVICE 2).  
14 He also had \$1,889.00 cash on his person. HAYES asked MPO Bugosh numerous times  
15 why officers were impounding his girlfriend's car and asking what they were going to  
16 look for.

17 63. At approximately 3:25 p.m., MPO Bugosh spoke with an individual named  
18 A.C., who said that she was renting the vehicle but had loaned it to HAYES to pick up  
19 his girlfriend and pay for a room at the motel. MPO Bugosh explained to A.C. that her  
20 vehicle was taken pending a search warrant and that HAYES was in SCORE jail. A.C.  
21 stated that the vehicle was "empty" when she loaned it to HAYES.

22 **C. Search of Hyundai Tucson operated by HAYES**

23 64. KCSO Detective Kelley obtained a search warrant for the white Hyundai  
24 Tucson that HAYES had been driving. When Detective Kelley searched the Hyundai, he  
25 located a Taurus PT140Pro pistol in .40 caliber in the center console. The pistol had a  
26 loaded magazine and a spent shell casing in the chamber.

27 65. ATF Special Agent Brian Arnold is an interstate nexus expert who has  
28 received specialized training in identifying firearms and their place of manufacture. SA



1 Arnold has examined photographs of the Taurus PT140Pro pistol in .40 caliber and the  
2 two .40 caliber rounds of ammunition located in HAYES's pocket from HAYES's July  
3 20, 2021 arrest and the Smith & Wesson SD40VE pistol in .40 caliber, and one round of  
4 .40 caliber of ammunition located in the SD40VE pistol, and determined that both  
5 firearms and the rounds of ammunition were manufactured outside the State of  
6 Washington. Therefore, the firearm and rounds of ammunition must have traveled in  
7 interstate or foreign commerce before being possessed in the state of Washington.

8 **D. Search of Hotel Room #231**

9 66. Later that day, Sergeant Hamill returned to the motel and joined several  
10 detectives and deputies who were searching the area where Sergeant Hamill had last seen  
11 the injured male.

12 67. Detective Myklebust and Detective Ghrmai advised that blood had been  
13 located on the lower level and a trail had been followed up to room #231. Due to the  
14 amount of blood and the explanation of injury from Sergeant Hamill, Detective  
15 Myklebust and Detective Ghrmai located room #231, found the door to the room ajar,  
16 and entered the room to provide lifesaving efforts to anyone injured or unconscious  
17 inside. No one was located inside the room. While inside room 231, detectives noticed  
18 what appeared to be a bullet hole in the door of the room. Based on the damage,  
19 detectives believe the bullet hole would have occurred from the inside of room 231. The  
20 room was secured by Detective Myklebust and Detective Ghrmai pending a search  
21 warrant. A request was put out to local hospitals for a possible victim who may have  
22 sought aid.

23 68. Detective Ghrmai contacted the neighboring unit to the south (232) and  
24 spoke to the room's occupants, M.B. and S.B. M.B. informed Detective Ghrmai that  
25 earlier that day, she had heard a fight next door and could hear multiple males and a  
26 female arguing. M.B. stated that she had heard what sounded like someone getting  
27 slammed into the wall. M.B. said she had been returning from a trip when she heard the  
28 argument. S.B. advised Detective Ghrmai she was sleeping while M.B. was gone, but



1 | awoke to what she thought was a gunshot. S.B. said she wasn't sure if it was a gunshot  
2 | because the sound is what woke her up. S.B. further stated that she could hear an  
3 | argument next door but no other gunshots. S.B. said that she was scared and did not want  
4 | to open the door to find out what was going on. S.B. and M.B. informed Detective  
5 | Ghrmai they did not see anyone who was involved in the altercation; they could just hear  
6 | it.

7 |         69. Deputy Bartolo and Deputy Brubaker reviewed video footage at the Motel  
8 | 6 and observed a subject who matched HAYES's description (white t-shirt, black/white  
9 | pants, black hat, ponytail) exit room 231 shortly before Sergeant Hamill arrived at the  
10 | motel. Further viewing of the video footage shows HAYES carrying under his shirt a  
11 | shiny item consistent with a firearm.

12 |         70. After obtaining a search warrant, KCSO Detectives Kelly and Grotzky  
13 | searched room 231 taking photographs and recovered biological evidence.

14 | **E. HAYES's Involvement in Prostitution/Sex Trafficking**

15 |         71. On August 4, 2021, KCSO Detective Alexander Grotzky listened to a voice  
16 | mail from HAYES in which he stated that he wanted his money and phone back, and that  
17 | he wanted to sue the King County Sheriff's Office as a result of his July 20, 2021 arrest.  
18 | HAYES requested a call back and provided a call-back number of 253-508-3082.  
19 | Detective Grotzky called this number, which went straight to voice mail, and left a  
20 | message for HAYES asking him to call him back.

21 |         72. Detective Grotzky conducted a law enforcement database search of the  
22 | number 253-508-3082 and learned that it had been used to post online sex advertisements  
23 | in the Seattle area. Specifically, Detective Grotzky located multiple different  
24 | advertisements that featured photographs of a woman, subsequently identified as T.M.,  
25 | over the past year. These advertisements of T.M. were posted on multiple different  
26 | websites including privatedelights.ch, megapersonals.com, and onebackpage.com, all of  
27 | which are known "escort" sites that are commonly used to advertise individuals engaged  
28 | in prostitution. One posting contained several photographs of T.M., including a nude

1 photograph with her breasts exposed. Several advertisements included the same  
2 narrative, which Detective Grotzky is aware from training and experience is typical of the  
3 language used to advertise prostitution services and rates. The narrative on several posts  
4 stated: “Hey gentlemen my name is Sheena Bonita. I’m a curvy blasian & native  
5 american with 42DDD bust [insert of winking face emoji]. Your time with me is always  
6 unrushed and I aim to please and make sure you’re comfortable and left satisfied. I am  
7 TNA certified and have great reviews. I am always clean and professional so I expect the  
8 same in return! Looking forward to hearing from you, lets have some fun! [insert kissing  
9 face emoji] Ask about VIP menu!” Additionally on this post was a price menu with the  
10 following prices: “QV 150 150 HH 200 HR 250 GFE +50 extra.” Detective Grotzky was  
11 aware through training and experience that these terms are commonly used in the  
12 commercial sex trade. For example, “QV” is short for a “quick visit” or “quicky”, “HH”  
13 references a half hour of time, “HR” is an hour visit that commonly involves sexual  
14 intercourse, and “GFE” is short for “girlfriend experience,” which means that the  
15 prostitute will act as if they are the sex purchaser’s actual girlfriend. Based upon the  
16 language used and photographs included on these advertisements, Detective Grotzky  
17 concluded that they clearly advertised commercial sex.

18 73. As noted above, the advertisements reviewed by Detective Grotzky  
19 contained photographs of a female with the stage name of “TasheenaBonita.” This  
20 female appeared to Detective Grotzky to be a female named T.M., who was listed as an  
21 associate of HAYES in another recent case (King County Sheriff’s Office case number  
22 C21023693), in which HAYES is the suspect in a motor vehicle theft. Detective Grotzky  
23 compared T.M.’s Washington State Department of Licensing photograph to the  
24 photographs on the online advertisements and confirmed that “TasheenaBonita” was  
25 T.M.

26 74. As part of his involvement on the above-described motor vehicle theft case,  
27 Detective Grotzky learned that a woman named T.N. had accused HAYES of taking her  
28 vehicle, a red Dodge Challenger BKD7436, to transport another female to California.

1 Detective Grotzky sent a text message to the 253-508-3082 number associated with  
2 HAYES in which he posed as a commercial sex customer interested in setting up a  
3 “date.” A short time later, Detective Grotzky received a message from this number. The  
4 message, which purported to be from a woman, stated that she was currently in the  
5 Hollywood area of Los Angeles.

6 75. Detective Grotzky then checked law enforcement databases and learned  
7 that an online “escort” advertisement for this number had been posted on the website  
8 Privatedelights.ch on August 12, 2021. The photographs and wording of the  
9 advertisement indicated that it was an advertisement for prostitution. The advertisement  
10 had a photograph of T.M. and the text indicated that the advertisement had been posted in  
11 Los Angeles, California. Detective Grotzky checked for additional advertisements and  
12 found additional postings for prostitution advertisements for “TasheenaBonita” between  
13 August 12, 2021, and August 26, 2021, in the Los Angeles area.

14 76. In an attempt to locate HAYES, law enforcement had obtained a court order  
15 that provided the GPS location coordinates for the 253-508-3082 phone number.  
16 Detective Grotzky checked the phone location “pings” from this phone number and found  
17 that was currently located in the greater Los Angeles area.

18 77. On August 27, 2021, the phone location “pings” showed the phone’s  
19 location in Portland, Oregon. This same date, an online prostitution/escort advertisement  
20 featuring a photograph of “TasheenaBonita” was posted in Portland. Similar  
21 advertisements featuring “TasheenaBonita” until August 31, 2021.

22 78. After receiving information that HAYES had a Facebook account under the  
23 name “Preneur Ponopoly,” Detective Grotzky found a publicly available account with  
24 that profile name. Upon reviewing the account, Detective Grotzky saw that the account  
25 user name is listed to “Everett.Kennebrew” (a known alias of HAYES) and had multiple  
26 photos of HAYES on its timeline. Looking through the Facebook postings, Detective  
27 Grotzky observed multiple postings with HAYES tagging his location in the Los  
28 Angeles, California area between August 14, 2021 through August 28, 2021, where he

1 posted he was “Back in Seattle leaving town soon won’t be here long tap in.” It should be  
2 noted this post did not have a location tag with it.

3 79. I am aware, based upon my training and experience and my consultations  
4 with other law enforcement officers who have experience investigating crimes involving  
5 sex trafficking or prostitution, that sex traffickers/pimps often take their victims to  
6 different locations throughout the United States to see new clientele in order to make  
7 more money. I am aware that many sex traffickers/pimps will travel with their victims  
8 along the West Coast “circuit,” which often includes travel to Portland, Las Vegas, and  
9 Los Angeles. Each of these areas have known prostitution areas or “tracks.” My review  
10 of the information contained in the escort advertisements, phone location coordinates,  
11 and HAYES’s Facebook posts are consistent with HAYES taking T.M. to Oregon and  
12 California for the purpose of prostitution.

13 **F. HAYES’s October 7, 2021 Arrest**

14 80. On October 6, 2021, United States Magistrate Judge S. Kate Vaughan of  
15 the United States District Court for the Western District of Washington issued an arrest  
16 warrant for HAYES for violation of Title 18, United States Code, Section 922(g)(1)  
17 (Felon in Possession of Firearm and Ammunition).

18 81. On October 7, 2021, at approximately 11:00 a.m., local and federal law  
19 enforcement officers held a briefing to prepare for the execution of HAYES’s outstanding  
20 federal warrant. After the briefing, law enforcement units established surveillance  
21 around HAYES’s last known residence in Kent, Washington, but did not see signs of  
22 HAYES.

23 82. Law enforcement then attempted to utilize a ruse by contacting HAYES  
24 and advising him that he could take possession of the cash that had been seized from his  
25 person by KCSO deputies on July 20, 2021 by retrieving it at SeaTac City Hall. Law  
26 enforcement officers were advised that the money would not be released unless HAYES  
27 appeared in person.  
28

83. At approximately 1:35 p.m., a white female wearing a green jacket, later identified as M.E.K., arrived SeaTac City Hall and asked to take custody of the cash on behalf of HAYES. KCSO deputies contacted M.E.K. and turned her away. M.E.K. then left on foot and walked towards a 76 gas station across the street. Special Agent (SA) Salcepuedes observed M.E.K. going into the store and then exiting a few minutes later, after which she got into the driver's seat of a silver Honda Civic 4 door sedan that was parked on the southwest corner of the gas station lot.

84. At approximately 1:52 p.m., the silver Honda Civic left the parking lot and traveled west to a Marathon gas station located at 2841 S. 188<sup>th</sup> Street in Seattle. Surveillance units followed the Honda Civic to the gas station, where they observed M.E.K. parked by a gas pump. Shortly thereafter, HAYES, who had been walking in front of the gas station, got into the front passenger seat of the Honda Civic. An arrest team moved in and initiated the arrest by activating their emergency lights. HAYES was taken out of the front passenger seat of the silver Honda Civic and arrested without incident. M.E.K. was taken out from the driver's seat of the silver Honda Civic and then detained. While taking HAYES out of the vehicle, SA Salcepuedes observed in plain view suspected narcotics – namely, pills that had “M” and “30” imprinted on them in a clear plastic baggie hanging on the front passenger side door inside a black fabric container. SA Salcepuedes also observed a pistol with a silver slide underneath the front passenger seat. Both the narcotics and firearm were in the immediate area of HAYES during the arrest.

85. HAYES was searched incident to arrest. Among other things, law enforcement discovered a silver iPhone (**SUBJECT DEVICE 3**), which was taken into custody.

86. SA Salcepuedes also recovered approximately 100 “M-30” pills weighing 15 grams, which based upon his training and experience, he knew are often laced with fentanyl. I am aware, based upon my training and experience, that possession of 100 “M-30” pills are consistent with distribution quantities, as opposed to personal use. SA

1 Salcepuedes also recovered the pistol underneath the front passenger seat. The pistol was  
2 a Smith & Wesson model SD40 VE, .40 caliber pistol with serial number FYT0363.  
3 While rendering it safe, SA Salcepuedes noted that the firearm was loaded and had a  
4 round in the chamber. A subsequent law enforcement database check on the Smith &  
5 Wesson pistol returned with no record.

6 87. HAYES was transported and booked for his outstanding federal warrant at  
7 the Federal Detention Center in SeaTac, Washington.

8 88. The Smith & Wesson model SD40 VE, .40 caliber pistol with serial number  
9 FYT0363 was subsequently sent to the King County Regional Identification Program  
10 Automatic Fingerprint Identification System (AFIS) for latent fingerprint testing. Latent  
11 fingerprints were recorded from the Smith & Wesson pistol and were identified as  
12 belonging to HAYES.

13 **G. Interview of M.E.K.**

14 89. On October 7, 2021, ATF SA Natalia Vorotnikova and Task Force Officer  
15 (TFO) Todd Early had a recorded interview with M.E.K. following the arrest of HAYES.

16 90. M.E.K. stated that HAYES is her daughter's cousin who she had not seen  
17 for approximately two years until recently. M.E.K. advised on the day of the HAYES'  
18 arrest she was operating a 2006 silver Honda Civic. M.E.K. stated the vehicle was  
19 registered to her son, but she was the primary user. M.E.K. also added HAYES operated  
20 the vehicle on the day of the arrest.

21 91. M.E.K. stated on the day of the arrest HAYES called her and advised her  
22 that he was coming over. M.E.K. provided the investigators with HAYES's cellphone  
23 number (253-508-3082). M.E.K. stated during the phone call, HAYES asked her to pick  
24 up his belongings that had been seized at his prior arrest, and that the items were at the  
25 SeaTac Police Department.

26 92. M.E.K. advised that after HAYES arrived at her residence, she drove with  
27 HAYES to meet with M.E.K.'s daughter's father at the Econo Lodge. M.E.K. further  
28 stated after the meeting with daughter's father, she and HAYES drove to a hotel parking

1 lot across the street from the Marathon gas station where the arrest was conducted. (Note:  
2 the hotel across the street from Marathon gas station was Double Tree by Hilton, located  
3 at 18740 International Boulevard, Seattle, Washington.) M.E.K. told law enforcement  
4 that HAYES drove the Honda Civic from Econo Lodge to Double Tree by Hilton.

5 93. After HAYES exited the vehicle, M.E.K. drove to SeaTac Police  
6 Department (PD). M.E.K. advised that she parked the vehicle at 76 gas station across the  
7 street from Seatac PD and walked across the street because her license was suspended.

8 94. M.E.K. stated when she met with the police officers, she was advised they  
9 could not release the money to her. M.E.K. stated she then walked back to her car,  
10 contacted HAYES, and told him the police could not release money to her. M.E.K. stated  
11 that she drove to the Marathon gas station where she reconnected with HAYES. M.E.K.  
12 said that HAYES told her that he wanted to go to the police station to pick up his money  
13 himself.

14 95. M.E.K. stated that when the arrest was initiated, she was in the driver's seat  
15 and HAYES was in the passenger's seat. She further stated that she had no knowledge of  
16 the firearm the investigators recovered from her vehicle. M.E.K. added she was a  
17 convicted felon and could not possess a firearm.

18 96. Prior to the interview being conducted, the investigators located a bag with  
19 M-30 pills in a plastic bag suspected to contain fentanyl, took a photo of it and showed it  
20 to M.E.K. When inquired about the bag with pills, M.E.K. advised she had never seen  
21 those pills before.

22 97. M.E.K. reiterated she had not seen HAYES for years until recently and they  
23 communicated through Facebook. She further reiterated that she was not aware of the  
24 firearm and pills were in her vehicle. M.E.K. advised she had been incarcerated for  
25 narcotics related conviction and was released approximately three years ago.

26 **H. HAYES's October 8, 2021 Transport**

27 98. On October 8, 2021, ATF SAs Salcepuedes and Arnold transported  
28 HAYES from the Federal Detention Center to the United States District Court in Seattle



1 for his initial appearance with a United States Magistrate Judge. SA Salcepuedes audio  
2 recorded the transport. At the start of the transport, SA Salcepuedes reminded HAYES  
3 that he had previously been read his Miranda rights.

4 99. Before the audio recording started, HAYES requested if he could make  
5 phone calls to his child's mother to get his Mercedes out of a parking spot at an  
6 apartment so it would not get towed. Upon learning that she was in Portland, he asked  
7 SA Salcepuedes to call M.E.K. During this conversation, which was conducted on  
8 speaker phone, HAYES told M.E.K. that she could pick up the keys to his Mercedes at  
9 the ATF office. HAYES also apologized to M.E.K. and told her "I'm gonna take  
10 responsibility for my actions." HAYES apologized and told her he did not want her in  
11 trouble and concluded the phone call.

12 100. SA Salcepuedes asked HAYES if he was selling the pills that had been  
13 recovered at his arrest on the front passenger side door, to which HAYES replied "no."  
14 HAYES admitted to being a drug user and stated that he used pills and  
15 methamphetamine. When SA Salcepuedes asked if he could tell him where he got the  
16 pills, HAYES replied "no" and stated that he had bought the pills from someone he knew  
17 that he did not want to give up.

18 101. HAYES then told agents of a different individual who he knew and got his  
19 "shit" from. HAYES told agents that he believed that person was a "snitch" and a "rat"  
20 (referring to a person who is an informant or provides information to law enforcement).  
21 HAYES stated that after learning about this, HAYES decided to rob this individual.

22 102. SA Salcepuedes asked HAYES if the reason why he is always armed is  
23 because of being robbed in the past. HAYES stated he had been robbed, jumped, and  
24 pistol whipped in the past. HAYES told agents he lost his right to bear arms and that he  
25 was being punished for that.

## 26 **DIGITAL DEVICES AS INSTRUMENTALITIES OF THE CRIMES**

### 27 **A. General Knowledge of Cellular Telephones/Smartphones**

28

1           103. I know from training and experience that people own cellular  
2 telephones/smartphones for the purpose of being able to use them wherever they are, and  
3 as such carry them virtually constantly, or are nearly always within the near vicinity of  
4 their cellular telephones/smartphones. People often use cellular telephones/smartphones  
5 to communicate with their associates and will sometimes store associates's contact or  
6 identity information in contact lists, speed dial lists, or other areas of the phone. The  
7 communications can occur in many ways, including through typical cellular phone calls,  
8 instant messaging, text messages, SMS communications, chat sessions, email and social  
9 networking websites. I know that people use cellular telephones/smartphones to  
10 document and share information about their activities through phone calls, email, text  
11 messages, instant messages, SMS communications, photographs, videos, notes, and  
12 digital or voice memos that depict, discuss, or identify crime scenes, contraband,  
13 proceeds, victims, accomplices, or other evidence. Some of these communications are  
14 directed to another person or persons. Others are posted and shared more publicly, as  
15 happens with chat sessions and social networking websites.

16           104. Cellular telephone/smartphone users can also use their phones for calendar  
17 items, web surfing, and obtaining directions to locations. A cellular  
18 telephone/smartphone typically stores, without action by the user, evidence of this use  
19 and activity of the phone in its memory and other onboard or external storage such as  
20 SIM card or Micro SD card, as well as information, such as call logs, address books,  
21 messages sent and received, images, audio and video files, personal calendars,  
22 documents, as well as IP addresses (unique numeric identifiers assigned when a device  
23 assesses the internet) and profiles for wireless networks to which they have been  
24 connected using wired or Wi-Fi connectivity, which include location as well as internet  
25 activity information (files viewed via the internet are typically automatically downloaded  
26 onto a computer). These evidentiary records, communications, and images can be  
27 retrieved from a cellular telephone, and will also often indicate the date, time, and  
28 physical location at which the activity occurred (cell site data and/or GPS coordinates for

1 the phone). As such, a person's use of the cellular telephone/smartphone will reveal  
2 where a person has been at particular dates and times relevant to the crimes under  
3 investigation in this case, a person's activity at relevant dates and times, and/or places  
4 where a person frequents at which that person is likely to be found for arrest or at which  
5 the suspect stored or inadvertently left evidence behind.

6 **B. General Knowledge of Activities involving Drugs and Firearms**

7 105. I also know, based on my training and experience, that individuals engaged  
8 in criminal activity will often use cellular telephones/smartphones to take photographs of  
9 themselves with contraband, including drugs or firearms. They will then send those  
10 pictures via MMS, email, or other electronic means to their associates, and/or post said  
11 pictures on social media such as Facebook, Snapchat, Instagram, and similar sites. From  
12 cellular telephones/smartphones and social media sites, I have frequently seen and  
13 recovered photographs that depict suspects (including prohibited suspects) displaying  
14 and/or brandishing contraband, including drugs and firearms.

15 106. I am aware that drug traffickers use cellular telephones as a tool or  
16 instrumentality in committing their criminal activity. They use them to maintain contact  
17 with their suppliers, distributors, and customers. They prefer cellular telephones because,  
18 first, they can be purchased without the location and personal information that land lines  
19 require. Second, they can be easily carried to permit the user maximum flexibility in  
20 meeting associates, avoiding police surveillance, and traveling to obtain or distribute  
21 drugs and/or firearms. Third, they can be passed between members of a conspiracy to  
22 allow substitution when one member is unavailable or incapacitated.

23 107. Since cellular phone use became widespread, all or nearly all drug dealers I  
24 have contacted have used one or more cellular telephones for his or her drug business. I  
25 also know that it is common for drug traffickers to retain in their possession phones they  
26 previously used, but have discontinued using, for their drug trafficking business.

27 108. In addition, I also know, based on my training and experience, drug  
28 traffickers, such HAYES, use firearms to protect their drug transactions. Accordingly,

1 drug traffickers, such as HAYES, will frequently acquire firearms from other individuals  
2 by trading for narcotics. Evidence of their negotiations for the illicit purchase and sale of  
3 firearms, in the form of text messages and/or other messaging applications, can and often  
4 are found on cell phones possessed by suspects. I have personally had the experience of  
5 searching, or causing others to search, cell phones seized during firearms cases and found  
6 communications evidencing the acquisition and possession of firearms by prohibited  
7 individuals.

8 **C. General Knowledge of Activities of Sex Traffickers**

9 109. Through my investigative experience, and based upon training and  
10 conversations with other law enforcement officers involved in sex trafficking and  
11 prostitution investigations, I am aware that persons involved in criminal acts, including  
12 prostitution and sex trafficking, use cellular telephones/smartphones to communicate,  
13 conduct, store, manage, record, and depict information related to their illegal activity.  
14 Specifically, persons involved in sex trafficking/prostitution use cellular  
15 telephones/smartphones to keep in contact with females working for them as prostitutes,  
16 including while the females are engaged in a “date” with a client and the trafficker is  
17 waiting outside.

18 110. I am also aware from my training and experience that sex traffickers/pimps  
19 will often take pictures of the females working for them. Cellular  
20 telephones/smartphones are also capable of taking and storing photographs, and if  
21 Internet capable, can be used to post such photographs to escort websites in furtherance  
22 of criminal activity. Sex traffickers/pimps also use cellular telephones/smartphones to  
23 arrange and negotiate commercial sex acts with potential customers who respond to the  
24 contact information listed on the online advertisement. Such contacts consists of the  
25 time, location, details of a particular act of prostitution (date) as well as the frequency of  
26 such acts.

1 111. I am also aware from my training and experience that sex traffickers/pimps  
2 will often transport their victims to different cities and states to work as prostitutes. In  
3 such situations, sex traffickers/pimps will often use cellular telephones/smartphones to  
4 make travel arrangements, including plane tickets and hotel reservations.

5 112. I am also aware from my training and experience that sex traffickers/pimps  
6 will often use the Internet to identify and recruit potential victims. In my experience,  
7 traffickers/pimps will often utilize social media websites such as Facebook.com,  
8 Instagram.com, and Twitter.com to either identify individuals who might be vulnerable to  
9 their coercion and exploitation, or to brag about their sex trafficking/pimping exploits and  
10 the amount of money they are making. I am also aware that some traffickers/pimps will  
11 use the Internet to access different dating/friendship websites (including Meetme.com  
12 and Carrot.com) to identify and recruit potential victims. Most, if not all,  
13 traffickers/pimps I and other law enforcement officers who investigate these crimes have  
14 encountered have accessed the Internet through their cellular telephones/smartphones to  
15 engage in activities to further their sex trafficking crimes.

16 113. I am aware that sex traffickers/pimps use cellular telephones as a tool or  
17 instrumentality in committing their criminal activity. They use them to maintain contact  
18 with their victims and their customers. They prefer cellular telephones because, first,  
19 they can be purchased without the location and personal information that land lines  
20 require. Second, they can be easily carried to permit the user maximum flexibility in  
21 arranging commercial sex act "dates" and communicating with their victims. Since  
22 cellular phone use became widespread, every sex trafficker/pimp I have contacted has  
23 used one or more cellular telephones for his or her business.

24 **D. Criminal Evidence Likely to be Found On Cellular Phones/Smartphones**

25 114. Based on my training and experience, the data maintained in a cellular  
26 telephone/smartphone used by an individual involved in criminal activity related to  
27 firearms, drug trafficking, and sex trafficking/prostitution constitutes evidence of these  
28 crimes. This includes the following:

1        115. The assigned number to the cellular telephone (known as the mobile  
2 directory number or MDN), and the identifying telephone serial number (Electronic Serial  
3 Number, or ESN), (Mobile Identification Number, or MIN), (International Mobile  
4 Subscriber Identity, or IMSI), or (International Mobile Equipment Identity, or IMEI) are  
5 important evidence because they reveal the service provider, allow law enforcement to  
6 obtain subscriber information, and uniquely identify the telephone. This information can  
7 be used to obtain toll records, to identify contacts by this telephone with other cellular  
8 telephones used by co-conspirators, to identify other telephones used by the same  
9 subscriber or purchased as part of a package, and to confirm if the telephone was contacted  
10 by a cooperating source.

11        116. The stored list of recent received, missed, and sent calls is important  
12 evidence. It identifies telephones recently in contact with the telephone user. This is  
13 valuable information in a drug investigation because it will identify telephones used by  
14 other members of the organization, such as suppliers, distributors and customers, and it  
15 confirms the date and time of contacts. If the user is under surveillance, it identifies what  
16 number he called during or around the time of a drug transaction or surveilled meeting.  
17 Such information is also valuable in a sex trafficking/prostitution investigation because it  
18 will identify calls the trafficker/pimp made to facilitate the business, including by keeping  
19 in contact with his victims; recruiting new victims; arranging the details of prostitution  
20 “dates” with customers; or making travel arrangements for trips to transport a victim in  
21 another location. Even if a contact involves a telephone user not part of the conspiracy,  
22 the information is helpful (and thus is evidence) because it leads to friends and associates  
23 of the user who can identify the user, help locate the user, and provide information about  
24 the user. Identifying a defendant’s law-abiding friends is often just as useful as identifying  
25 his criminal associates.

26        117. Stored text messages are important evidence, similar to stored numbers.  
27 Agents can identify both criminal associates, and friends of the user who likely have helpful  
28 information about the user, his location, and his activities.

1 118. Photographs on a cellular telephone are evidence because they help identify  
2 the user, either through his or her own picture, or through pictures of friends, family, and  
3 associates that can identify the user. Pictures also identify associates likely to be members  
4 of the drug trafficking organization or sex trafficking/prostitution organization. In my  
5 experience, many sex traffickers/pimps like to take photographs of their victims, to be  
6 posted on online prostitution advertisements. In addition, many sex traffickers/pimps like  
7 to take photographs of themselves in possession of large amounts of cash earned by their  
8 victims through commercial sex acts, or of themselves in locations where they have taken  
9 their victims to work as prostitutes. Also, digital photos often have embedded “geocode”  
10 or GPS information embedded in them. Geocode information is typically the longitude  
11 and latitude where the photo was taken. Showing where the photo was taken can have  
12 evidentiary value. This location information is helpful because, for example, it can show  
13 where coconspirators meet, where they travel, and where assets might be located. In sex  
14 trafficking/prostitution cases, it can show where sex traffickers/pimps went, where they  
15 recruited their victims, and where they took victims to engage in commercial sex acts.

16 119. Stored address records are important evidence because they show the user’s  
17 close associates and family members, and they contain names and nicknames connected to  
18 phone numbers that can be used to identify suspects. This data can also provide  
19 information about a sex trafficker/pimp’s victims, customer base, co-conspirators, and  
20 individuals whom he is attempting to recruit.

21 120. Many cellular phones/smartphones may also be used to access and  
22 download information from the Internet and communicate with other devices via a  
23 variety of communication channels. These additional communication channels include  
24 traditional cellular networks, voice over internet protocol, video conferencing (such as  
25 FaceTime and Skype), and a wide variety of messaging applications (such as SnapChat  
26 What’sApp, Signal, Telegram, Viber and iMessage).

27 121. I know based on my training and experience that there are hundreds of  
28 different messaging applications available for popular cellular telephones and that the



1 capabilities of these applications vary widely for each application. Some applications  
2 include end-to-end encryption that may prevent law enforcement from deciphering the  
3 communications without access to the device and the ability to “unlock” the device  
4 through discovery of the user’s password or other authentication key. Other  
5 communication applications transmit communications unencrypted over centralized  
6 servers maintained by the service provider and these communications may be obtained  
7 from the service provider using appropriate legal process. Other applications facilitate  
8 multiple forms of communication including text, voice, and video conferencing. I know  
9 based on my training and experience that obtaining a list of all the applications present on  
10 a handheld mobile computing device can provide valuable leads in an investigation. By  
11 determining what applications are present on a device, an investigator may conduct  
12 follow-up investigation including obtaining subscriber records and logs to determine  
13 whether the device owner or operator has used each particular messaging application.  
14 This information may be used to support additional search warrants or other legal process  
15 to capture those communications and discover valuable evidence. With regards to a sex  
16 trafficking/prostitution investigation, this information can establish a sex  
17 trafficker/pimp’s attempts to recruit individuals, keep tabs on his victims, or  
18 communicate with victims or co-conspirators.

19 122. Cellular phones/smartphones may also contain internet browsing history.  
20 Most modern cellular devices have the ability to browse the internet. Therefore, browsing  
21 history may be stored on any wireless communication device seized during the search.  
22 Based on my training and experience, I know that internet browsing history may include  
23 valuable evidence regarding the identity of the user of the device. This evidence may  
24 include online user names, account numbers, e-mail accounts and bank accounts as well  
25 as other online services. Internet browsing history may also reveal important evidence  
26 about a person’s location and search history.

1                   **ELECTRONIC STORAGE AND FORENSIC ANALYSIS**

2           123. Based on my knowledge, training, and experience, I know that electronic  
3 devices can store information for long periods of time. Similarly, things that have been  
4 viewed via the Internet are typically stored for some period of time on the device used to  
5 access the Internet. This information can sometimes be recovered with forensic tools.

6           124. *Forensic evidence.* As further described in Attachment B, this application  
7 seeks permission to locate not only electronically stored information that might serve as  
8 direct evidence of the crimes described on the warrant, but also forensic evidence that  
9 establishes how the SUBJECT DEVICES were used, the purpose of their use, who used  
10 them, and when. There is probable cause to believe that this forensic electronic evidence  
11 might be on the SUBJECT DEVICES because:

12               a. Data on the storage medium can provide evidence of a file that was  
13 once on the storage medium but has since been deleted or edited, or of a deleted portion  
14 of a file (such as a paragraph that has been deleted from a word processing file).

15               b. Forensic evidence on a device can also indicate who has used or  
16 controlled the device. This “user attribution” evidence is analogous to the search for  
17 “indicia of occupancy” while executing a search warrant at a residence.

18               c. A person with appropriate familiarity with how an electronic device  
19 works may, after examining this forensic evidence in its proper context, be able to draw  
20 conclusions about how electronic devices were used, the purpose of their use, who used  
21 them, and when.

22               d. The process of identifying the exact electronically stored  
23 information on a storage medium that is necessary to draw an accurate conclusion is a  
24 dynamic process. Electronic evidence is not always data that can be merely reviewed by a  
25 review team and passed along to investigators. Whether data stored on a computer is  
26 evidence may depend on other information stored on the computer and the application of  
27 knowledge about how a computer behaves. Therefore, contextual information necessary  
28 to understand other evidence also falls within the scope of the warrant.

              e. Further, in finding evidence of how a device was used, the purpose of  
its use, who used it, and when, sometimes it is necessary to establish that a particular thing  
is not present on a storage medium.

125. *Manner of execution.* Because this warrant seeks only permission to examine devices already in law enforcement's possession, the execution of this warrant does not involve the physical intrusion onto a premises. Consequently, I submit there is reasonable cause for the Court to authorize execution of the warrant at any time in the day or night.

### **SEARCH AND/OR SEIZURE OF DIGITAL DEVICES**

126. Based on the foregoing, and consistent with Rule 41(e)(2)(B) of the Federal Rules of Criminal Procedure, the warrant I am applying for will permit imaging or otherwise copying all data contained on the SUBJECT DEVICES, and will specifically authorize a review of the media or information consistent with the warrant.

127. In accordance with the information in this affidavit, law enforcement personnel will execute the search of any computer or storage medium seized pursuant to this warrant as follows:

a. *Securing the Data.* In order to examine the ESI in a forensically sound manner, law enforcement personnel with appropriate expertise will attempt to produce a complete forensic image, if possible and appropriate, of the Device.<sup>1</sup> Law enforcement will only extract data physically present on or within the Device and doing so will not result in access to any data physically located elsewhere. However, devices that have previously connected to device at other locations may contain data from those other locations.

b. *Searching the Forensic Data.* Searching the forensic data for the items described in Attachment B may require a range of data analysis techniques. In some cases, it is possible for agents and analysts to conduct carefully targeted searches


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<sup>1</sup> The purpose of using specially trained computer forensic examiners is to ensure the integrity of the evidence and to follow proper, forensically sound, scientific procedures. When the investigative agent is a trained computer forensic examiner, it is not always necessary to separate these duties. Computer forensic examiners often work closely with investigative personnel to assist investigators in their search for digital evidence. Computer forensic examiners are needed because they generally have technological expertise that investigative agents do not possess. Computer forensic examiners, however, often lack the factual and investigative expertise that an investigative agent may possess on any given case. Therefore, it is often important that computer forensic examiners and investigative personnel work closely together.

1 that can locate evidence without requiring a time-consuming manual search through  
2 unrelated materials that may be commingled with criminal evidence. In other cases,  
3 however, such techniques may not yield the evidence described in the warrant, and law  
4 enforcement may need to conduct more extensive searches to locate evidence that falls  
5 within the scope of the warrant. The search techniques that will be used will be only  
6 those methodologies, techniques and protocols as may reasonably be expected to find,  
7 identify, segregate and/or duplicate the items authorized to be seized pursuant to  
8 Attachment B to this affidavit.  
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CONCLUSION

128. Based on the information set forth herein, there is probable cause to believe the property described in Attachment A contains evidence, instrumentalities, and/or fruits of the crimes of being a felon in possession of a firearm and ammunition, in violation of Title 18, United States Code, Section 922(g); possessing firearms in furtherance of drug trafficking crimes, in violation of Title 18, United States Code, Section 924(c); distribution of, and possession with intent to distribute, controlled substances, in violation of Title 21, United States Code, Section 841(a)(1); sex trafficking through force, fraud, and coercion, in violation of Title 18, United States Code, Section 1591(a)(1) and (b)(1); and transportation for the purpose of prostitution, in violation of Title 18, United States Code, Section 2421, as well as attempt or conspiracy to commit such offenses, as further described in Attachment B.

  
 NATHAN PETRULAK  
 Special Agent  
 Bureau of Alcohol, Tobacco, Firearms and  
 Explosives

SUBSCRIBED and SWORN to before me this 18<sup>th</sup> day of November.

  
 HONORABLE MICHELLE L. PETERSON  
 United States Magistrate Judge

**ATTACHMENT A**

**Property to be Searched**

The SUBJECT DEVICES are described as follows:

a. One black cell phone, unknown make (KCSO Item #C21022558-4) (recovered from HAYES'S person on July 20, 2021) (**SUBJECT DEVICE 1**), currently located in the custody of the King County Sheriff's Office (KCSO) 4623 7th Avenue South, Seattle.



b. One blue OnePlus cell phone (KCSO Item #C21022558-5) (recovered from HAYES's person on July 20, 2021) (**SUBJECT DEVICE 2**), currently located in the custody of the King County Sheriff's Office (KCSO), 4623 7th Avenue South, Seattle.



c. One silver iPhone (ATF Item #4) (recovered from HAYES's person on October 7, 2021) (**SUBJECT DEVICE 3**), currently located in the custody of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), 1521 1st Avenue South, Seattle;





**ATTACHMENT B**  
**Items to be Seized**

From the **SUBJECT DEVICES** described in Attachment A of this warrant, the government is authorized to search for and seize the following items, which are evidence, fruits, and/or instrumentalities of violations of the crimes of being a felon in possession of a firearm and ammunition, in violation of Title 18, United States Code, Section 922(g); possessing firearms in furtherance of drug trafficking crimes, in violation of Title 18, United States Code, Section 924(c); distribution of, and possession with intent to distribute, controlled substances, in violation of Title 21, United States Code, Section 841(a)(1); sex trafficking through force, fraud, and coercion, in violation of Title 18, United States Code, Section 1591(a)(1) and (b)(1); and transportation for the purpose of prostitution, in violation of Title 18, United States Code, Section 2421, as well as attempt or conspiracy to commit such offenses:

- a. Assigned number and identifying telephone serial number (ESN, MIN, IMSI, or IMEI);
- b. Stored lists of recent received, sent, or missed calls;
- c. Stored contact information that may include names, telephone numbers, addresses, email addresses, or other contact information for criminal associates involved in drug trafficking or illegal firearms possession; or associates, customers, and/or sex workers involved in prostitution and sex trafficking;
- d. Stored photographs or videos related to controlled substances, currency, drug packaging material, firearms, or other evidence of drug trafficking, and/or that show the user of the phone or suspected co-conspirators, including any metadata such as embedded GPS data associated with those photographs;
- e. Stored photographs or videos related to prostitution/sex trafficking, or photographs or videos that may show the user of the phone and/or co-

1 conspirators, including any embedded GPS data associated with these  
2 photographs or videos, such as:

- 3       ▪ Photographs posted on the internet for advertising escort services;
- 4       ▪ Photographs of criminal associates and women working with or for  
5       EVERETT HAYES;
- 6       ▪ Photographs of the potential proceeds of prostitution activity,  
7       including but not limited to large sums of cash, clothing, jewelry,  
8       electronics, and vehicles;
- 9       ▪ Photographs of sites or locations where EVERETT HAYES and his  
10      associates or sex workers may have engaged in prostitution  
11      activities;
- 12      ▪ Photographs of electronic devices that may show evidence of the  
13      user of those devices.

- 14   f.   Stored text or chat messages related to firearms or possession or  
15   distribution of controlled substances, or sex trafficking/prostitution,  
16   including Apple iMessages, Facebook Messenger messages or other similar  
17   messaging and chat services where the data is stored on the telephone.
- 18   g.   Evidence of user attribution showing who used or owned the digital device  
19   at the time of the things described in this warrant were created, edited, or  
20   deleted, such as logs, phonebooks, saved usernames and passwords,  
21   documents, and browsing history;
- 22   h.   Evidence of who used, owned, or controlled the digital device or other  
23   electronic storage media at the time the things described in this warrant  
24   were created, edited, or deleted, such as logs, registry entries, configuration  
25   files, saved usernames and passwords, documents, browsing history, user  
26   profiles, email, email contacts, "chat," instant messaging logs, photographs,  
27   and correspondence;
- 28   i.   Evidence of software that would allow others to control the digital device  
or other electronic storage media, such as viruses, Trojan horses, and other

- 1 forms of malicious software, as well as evidence of the presence or absence
- 2 of security software designed to detect malicious software;
- 3 j. Evidence of the lack of such malicious software;
- 4 k. Evidence of the attachment to the digital device of other storage devices or
- 5 similar containers for electronic evidence;
- 6 l. Evidence of counter-forensic programs (and associated data) that are
- 7 designed to eliminate data from the digital device or other electronic
- 8 storage media;
- 9 m. Evidence of the times the digital device or other electronic storage media
- 10 was used;
- 11 n. Passwords, encryption keys, and other access devices that may be necessary
- 12 to access the digital device or other electronic storage media;
- 13 o. Records of or information about the Internet Protocol used by the digital
- 14 device or other electronic storage media;
- 15 p. Records of internet activity, including firewall logs, caches, browser history
- 16 and cookies, “bookmarked” or “favorite” web pages, search terms that the
- 17 user entered into any internet search engine, and records of user-typed web
- 18 addresses;
- 19 q. Contextual information necessary to understand the evidence described in
- 20 this attachment.

21 The search warrant authorizes imaging or otherwise copying all data contained on  
 22 the subject devices. The search warrant also authorizes reasonable efforts to overcome  
 23 any passcode protection of the subject devices.

24 As used above, the terms “records” and “information” include all of the foregoing  
 25 items of evidence in whatever form and by whatever means they may have been created  
 26 or stored, including any form of computer or electronic storage (such as flash memory or  
 27 other media that can store data) and any photographic form, including emails,  
 28

1 photographs, text messages, information contained in applications or “apps,” and  
2 calendar entries.  
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